

## REMARKS

Applicants thank the Examiner for the Office Action of January 27, 2009. This Amendment is in full response thereto. Thus, Applicants respectfully request continued examination and allowance of the application.

The listing of claims is provided for the Examiner's convenience. No amendments are submitted herewith. Claims 11-20 are pending in this application.

### **Claim Rejections Under 35 U.S.C. § 103:**

Claims 11-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kneip, Jr., et al. (USPN 5,063,651)(Kneip) in view of Molnar (USPN 3,191,795). Applicants respectfully disagree because Kneip, Molnar, and the combination of the two fail to disclose, teach, or suggest all of the limitations of Applicants' independent claim 11.

The Examiner states that Kneip disclose the limitations of the claims including a cryogenic fluid tank (Fig. 1) comprising inner (24) and outer casings (26), tubular structure (tube positioned axially within casing 24), rigid linking system (tube positioned axially connecting the main faces of casing 26), wherein said tubular structure is integral with two end rings fastened to the main faces of the inner casing (ring portions connecting the tubular structure to the inner casing main faces), cylindrical cups (distal ends of rigid linking elements), and metallic casing (col. 1, line 24).

The Examiner states that Molnar teaches a non-metallic (col. 2, line 37) multiple flexible linking elements respectively connecting a main face of the outer casing to a main face of the inner facing (fig. 2, 10) thereby providing support to a multi-vessel tank. The Examiner states that it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Kneip with the features of Molnar in order to provide additional support to the cryogenic fluid tank.

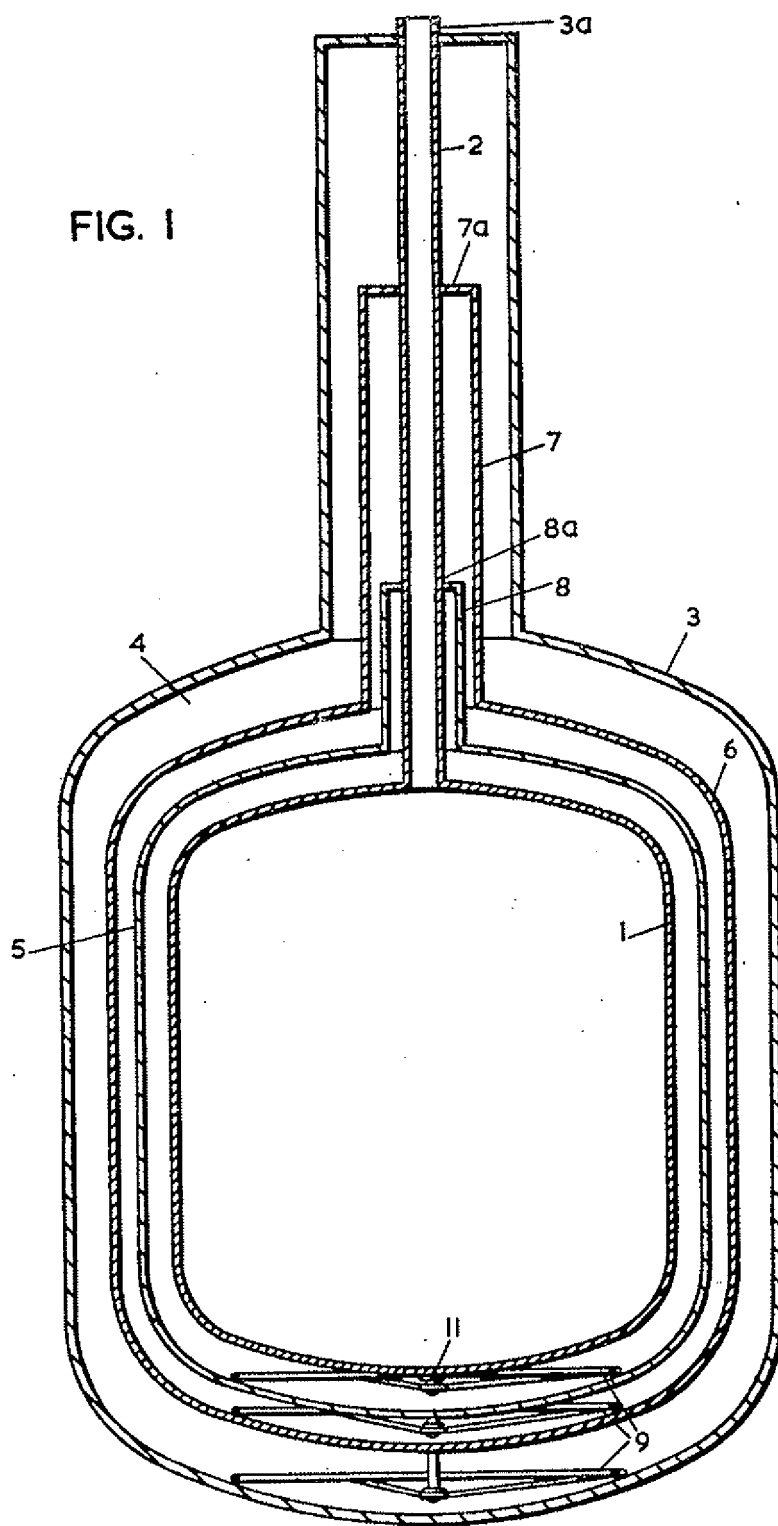
In independent claim 11, Applicants claim "a cryogenic fluid tank comprising an inner casing arranged in an outer casing with a vacuum insulation space in between, *the casings having a flattened general configuration*, wherein it comprises at least one tubular structure which connects the two main faces of the inner casing and in which there extends at least one rigid linking element connecting the two main faces of the outer casing, and at least two flexible linking elements respectively connecting a main face of the outer casing and a main face of the inner casing."

The Examiner has not provided any reference that teaches the inner and outer casing having a flattened general configuration, as required by Applicants independent claim. Applicants discuss the necessity of the flattened configuration, as opposed to the spherical or cylindrical shapes conventionally used, at page 1, lines 10-22 of Applicants' original specification. Throughout the specification, Applicants reinforce the parallelepipedal or flattened configuration of the casings. Therefore, because Kneip, Molnar, and the combination thereof do not teach all of the limitations of independent claim 11, and at a minimum, do not teach the flattened general configuration of the casings, the Examiner has failed to establish a prima facie case of obviousness with respect to claim 11.

Additionally, the combination of Kneip and Molnar would not teach all of the limitations of Applicants' independent claim 11. In particular, Applicants have claimed "a cryogenic fluid tank comprising ...at least two flexible linking elements respectively *connecting a main face of the outer casing and a main face of the inner casing*." As shown in FIG 1 of Molnar, a copy of which follows, inner casing 1 and outer casing 3 are separated by two radiation shields 5 and 6. Therefore, rather than two flexible linking elements connecting a main face of the outer casing 3 and a main

6

FIG. 1



The diagram illustrates a complex cryogenic storage system. It features a multi-layered cylindrical vessel designed for insulation. The innermost layer is labeled 10, followed by layers 26, 32, 31, 27, and 28. A central vertical tube passes through the center, equipped with various internal components including baffles or support structures labeled 14, 16, 11, 13, 12, 21, 23, and 24. At the base of this tube, a valve or seal mechanism is shown, with labels 14, 16, 11, 13, 12, and a reference to  $H_2O$ . The entire assembly is connected to external monitoring equipment: a TRANSMITTER (45) and RECEIVER (17) are linked at the top; a RECORDER (18) receives signals from the system; a POWER SUPPLY (19) provides energy; and a separate control unit (35) is connected to the side of the vessel.

In conclusion, at least because the Examiner has failed to show how the cited art discloses Applicants' claim limitations of a cryogenic fluid tank comprising (1) casings having a flattened general configuration and (2) at least two flexible linking elements respectively connecting a main face of the outer casing and a main face of the inner casing, the Examiner has failed to establish a prima facie case of obviousness with respect to claim 11. Applicants respectfully request that claim 11 be passed to allowance.

Claims 12-20 are dependent upon claim 11, which has been shown allowable above. Therefore, since claims 12-20 introduce additional subject matter that, when considered in the context of the recitations of claim 11, constitute patentable subject matter, Applicants submit that the recitations of claims 12-20 are not rendered obvious by the combination of Kneip and Molner and respectfully request that claims 12-20 be passed to allowance.

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he/she is invited to call the undersigned attorney at the number listed below.

It is not believed that any fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,

Date: **April 27, 2009**

/Patricia E. McQueeney/

Patricia E. McQueeney  
Registration No. 49,083

Air Liquide  
2700 Post Oak Blvd., 18<sup>th</sup> Floor  
Houston, Texas 77056  
Phone: 302-286-5458  
Fax: 713-624-8950